UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

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CERTIFICATION OF PLAINTIFF PURSUANT TO LOCAL RULE 16.1(D)(3)

The undersigned hereby certify that they have conferred with a view towards establishing a budget for the cost of conducting this litigation and to consider the possibility of resolving this action through the use of alternative dispute resolution.

Perma-Pipe, Inc.,

Edward Tierney

Perma Pipe, Inc.

7720 North Lehigh Avenue

Niles, Illinois 60714

and

Lawrence J. Quann (admitted pro hac vice)

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